



Minutes

Ordinary Meeting of Council

14 June 2016

ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MORUYA
ON TUESDAY 14 JUNE 2016

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**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MORUYA
ON TUESDAY 14 JUNE 2016
COMMENCING AT 10.07AM**

PRESENT: Councillor Lindsay Brown, Mayor (in the Chair)
Councillors Danielle Brice, Neil Burnside, Gabi Harding, Liz Innes, Milton
Leslight, Rob Pollock OAM and Peter Schwarz

Staff: Dr Catherine Dale, General Manager
Mr L Usher, Director, Planning and Sustainability Services
Mr W Sharpe OAM, Director, Infrastructure Services
Mr A O'Reilly, Director, Finance and Business Development
Mrs K Arthur, Director, Community, Arts and Recreation
Mrs C Hodges, Minute Secretary
Mrs K Green, Minute Secretary

1. WELCOME AND EVACUATION MESSAGE

The Mayor welcomed everyone to the meeting, acknowledged the Traditional Owners and advised of the Evacuation Procedure.

2. APOLOGIES

Nil

3. QUESTIONS FROM PUBLIC GALLERY (AGENDA ITEMS ONLY)

(Minutes of Questions from the Public Gallery are a summary only and do not purport to be a complete transcript of the proceedings.)

E15.9270; E16.0042

PF16/031 GMR16/011 Public Exhibition of the Draft Community Engagement Framework

Mr Peter Cormick addressed Council on GMR16/011 Public Exhibition of the Draft Community Engagement Framework. A copy of Mr Cormick's submission is available on Council's website.

EXTENSION OF TIME

16/135 MOTION Councillor Leslight/Councillor Pollock

THAT Mr Cormick be granted an extension of three minutes to complete his presentation.

(The Motion on being put was declared **CARRIED**)

3. QUESTIONS FROM PUBLIC GALLERY (Agenda Items Only) (contd)

(Minutes of Questions from the Public Gallery are a summary only and do not purport to be a complete transcript of the proceedings.)

E15.9191; E16.0042

PF16/032 PSR16/016 Grey Headed Flying Foxes – Dispersal Plan

Ms Sarah Cowan addressed Council on PSR16/016 Grey Headed Flying Foxes – Dispersal Plan. A copy of Ms Cowan’s submission is available on Council’s website.

E15.9191; E16.0042

PF16/033 PSR16/016 Grey Headed Flying Foxes – Dispersal Plan

Ms Lucy Norman addressed Council on PSR16/016 Grey Headed Flying Foxes – Dispersal Plan. A copy of Ms Norman’s submission is available on Council’s website.

EXTENSION OF TIME

16/136 MOTION Councillor Pollock/Councillor Harding

THAT Ms Norman be granted an extension of three minutes to complete her presentation.

(The Motion on being put was declared **CARRIED**)

E15.9191; E16.0042

PF16/034 PSR16/016 Grey Headed Flying Foxes – Dispersal Plan

Mr Gus Araya addressed Council on PSR16/016 Grey Headed Flying Foxes – Dispersal Plan. A copy of Mr Araya’s submission is available on Council’s website.

EXTENSION OF TIME

16/137 MOTION Councillor Burnside/Councillor Harding

THAT Mr Araya be granted an extension of three minutes to complete his presentation.

(The Motion on being put was declared **CARRIED**)

3. QUESTIONS FROM PUBLIC GALLERY (Agenda Items Only) (contd)

(Minutes of Questions from the Public Gallery are a summary only and do not purport to be a complete transcript of the proceedings.)

E15.9191; E16.0042

PF16/035 PSR16/016 Grey Headed Flying Foxes – Dispersal Plan

Ms Viviane Wheatley addressed Council on PSR16/016 Grey Headed Flying Foxes – Dispersal Plan. A copy of Ms Wheatley's submission is available on Council's website.

EXTENSION OF TIME

16/138 MOTION Councillor Pollock/Councillor Leslight

THAT Ms Wheatley be granted an extension of three minutes to complete her presentation.

(The Motion on being put was declared **CARRIED**)

E15.9191; E16.0042

PF16/036 PSR16/016 Grey Headed Flying Foxes – Dispersal Plan

Ms Kathy Kemeny addressed Council on PSR16/016 Grey Headed Flying Foxes – Dispersal Plan. A copy of Ms Kemeny's submission is available on Council's website.

EXTENSION OF TIME

16/139 MOTION Councillor Burnside/Councillor Harding

THAT Ms Kemeny be granted an extension of three minutes to complete her presentation.

(The Motion on being put was declared **CARRIED**)

3. QUESTIONS FROM PUBLIC GALLERY (Agenda Items Only) (contd)

(Minutes of Questions from the Public Gallery are a summary only and do not purport to be a complete transcript of the proceedings.)

E15.9191; E16.0042

PF16/037 PSR16/016 Grey Headed Flying Foxes – Dispersal Plan

Ms Brooke Miljenovic addressed Council on PSR16/016 Grey Headed Flying Foxes – Dispersal Plan. A copy of Ms Miljenovic's submission is available on Council's website.

EXTENSION OF TIME

16/140 MOTION Councillor Leslight/Councillor Brice

THAT Ms Miljenovic be granted an extension of three minutes to complete her presentation.

(The Motion on being put was declared **CARRIED**)

E15.9191; E16.0042

PF16/038 PSR16/016 Grey Headed Flying Foxes – Dispersal Plan

Ms Caroline Meyn addressed Council on PSR16/016 Grey Headed Flying Foxes – Dispersal Plan. A copy of Ms Meyn's submission is available on Council's website.

EXTENSION OF TIME

16/141 MOTION Councillor Leslight/Councillor Harding

THAT Ms Meyn be granted an extension of three minutes to complete her presentation.

(The Motion on being put was declared **CARRIED**)

E15.9191; E16.0042

PF16/039 PSR16/016 Grey Headed Flying Foxes – Dispersal Plan

Ms Alison Rowe addressed Council on PSR16/016 Grey Headed Flying Foxes – Dispersal Plan. A copy of Ms Rowe's submission is available on Council's website.

EXTENSION OF TIME

16/142 MOTION Councillor Harding/Councillor Burnside

THAT Ms Rowe be granted an extension of three minutes to complete her presentation.

(The Motion on being put was declared **CARRIED**)

3. QUESTIONS FROM PUBLIC GALLERY (Agenda Items Only) (contd)

(Minutes of Questions from the Public Gallery are a summary only and do not purport to be a complete transcript of the proceedings.)

E15.9191; E16.0042

PF16/040 PSR16/016 Grey Headed Flying Foxes – Dispersal Plan

Mr Russell Schneider addressed Council on PSR16/016 Grey Headed Flying Foxes – Dispersal Plan. A copy of Mr Schneider’s submission is available on Council’s website.

EXTENSION OF TIME

16/143 MOTION Councillor Leslight/Councillor Brice

THAT Mr Schneider be granted an extension of three minutes to complete his presentation.

(The Motion on being put was declared **CARRIED**)

E15.9191; E16.0042

PF16/041 PSR16/016 Grey Headed Flying Foxes – Dispersal Plan

Mr Hugh Pitty addressed Council on PSR16/016 Grey Headed Flying Foxes – Dispersal Plan. A copy of Mr Pitty’s submission is available on Council’s website.

EXTENSION OF TIME

16/144 MOTION Councillor Pollock/Councillor Harding

THAT Mr Pitty be granted an extension of three minutes to complete his presentation.

(The Motion on being put was declared **CARRIED**)

E15.9191; E16.0042

PF16/042 PSR16/016 Grey Headed Flying Foxes – Dispersal Plan

Ms Danielle Smith addressed Council on PSR16/016 Grey Headed Flying Foxes – Dispersal Plan. A copy of Ms Smith’s submission is available on Council’s website.

3. QUESTIONS FROM PUBLIC GALLERY (Agenda Items Only) (contd)

(Minutes of Questions from the Public Gallery are a summary only and do not purport to be a complete transcript of the proceedings.)

E15.9191; E16.0042

PF16/043 PSR16/016 Grey Headed Flying Foxes – Dispersal Plan

Ms Dianne Thompson read an address on behalf of the Australasian Bat Society Inc regarding PSR16/016 Grey Headed Flying Foxes – Dispersal Plan. A copy of their submission is available on Council's website.

EXTENSION OF TIME

16/145 MOTION Councillor Harding/Councillor Brice

THAT Ms Thompson be granted an extension of three minutes to complete her presentation.

(The Motion on being put was declared **CARRIED**)

E06.0429

EXTENSION OF MEETING TIME

16/146 MOTION Councillor Pollock/Councillor Harding

THAT in accordance with Council's Code of Meeting Practice, the conclusion of the Ordinary Council meeting be extended until 3.00pm.

(The Motion on being put was declared **CARRIED**)

3. QUESTIONS FROM PUBLIC GALLERY (Agenda Items Only) (contd)

(Minutes of Questions from the Public Gallery are a summary only and do not purport to be a complete transcript of the proceedings.)

E15.9191; E16.0042

PF16/045 PSR16/016 Grey Headed Flying Foxes – Dispersal Plan

Ms Joanne Evans addressed Council on PSR16/016 Grey Headed Flying Foxes – Dispersal Plan. A copy of Ms Evans' submission is available on Council's website.

3. QUESTIONS FROM PUBLIC GALLERY (Agenda Items Only) (contd)

(Minutes of Questions from the Public Gallery are a summary only and do not purport to be a complete transcript of the proceedings.)

E05.9535; E16.0042

PF16/046 FBD16/033 Budget Review for the Period Ended 31 March 2016

Mr Peter Bernard addressed Council on FBD16/033 Budget Review for the Period Ended 31 March 2016. A copy of Mr Bernard's submission is available on Council's website.

ADJOURNMENT

16/147 MOTION Councillor Brown

THAT the Ordinary Council Meeting be adjourned for a short break.

(The Motion on being put was declared **CARRIED**)

At 2.20pm the Mayor adjourned the Ordinary meeting of Council.

At 2.30pm the Mayor reconvened the Ordinary meeting of Council.

SUSPENSION OF STANDING ORDERS

16/148 MOTION Councillor Pollock/Councillor Innes

That Standing Orders be suspended in order to bring forward the following reports:

- PSR16/016 Grey Headed Flying Foxes – Dispersal Plan
- GMR16/011 Public Exhibition of the Draft Community Engagement Framework
- FBD16/033 Budget Review for the Period Ended 31 March 2016.

(The Motion on being put was declared **CARRIED**)

4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

16/149 MOTION Councillor Burnside/Councillor Schwarz

THAT the minutes of the Ordinary Meeting held on 10 May 2016 be confirmed.

(The Motion on being put was declared **CARRIED**)

5. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA

E87.6800; E15.9191

Councillor Innes declared a non-significant, non-pecuniary conflict of interest in PSR16/016 Grey Headed Flying Foxes – Dispersal Plan, and stated that she did not believe her interest would preclude her from voting.

Reason: Councillor Innes declared an interest as her mother lives in the area but Councillor Innes does not believe her mother is affected in any way differently to other members of the community.

6. MAYORAL REPORTS

Nil

E06.0429

The Mayor advised that in accordance with Council's Code of Meeting Practice, Council meetings must conclude by 3.00pm. At it is now 3.00pm, and the business of Council is not yet complete, it is necessary to move a procedural motion to adjourn the meeting, then reconvene the meeting to conclude the business of Council.

ADJOURNMENT

16/150 MOTION Councillor Pollock/Councillor Burnside

THAT in accordance with Council's Code of Meeting Practice, the Ordinary Meeting be adjourned, then immediately reconvened to conclude the business of Council.

(The Motion on being put was declared **CARRIED**)

At 3.01pm the Mayor adjourned the Ordinary meeting of Council.

At 3.02pm the Mayor reconvened the Ordinary meeting of Council.

PSR16/016 GREY HEADED FLYING FOXES - DISPERSAL PLAN

File Ref: E15.9191

16/151 MOTION Councillor Leslight/Councillor Innes

THAT Council:

1. Proceed with the implementation of a dispersal attempt in accordance with:
 - (a) the Batemans Bay Flying-fox Camp Dispersal Plan (May 2016) attached to report PSR16/016;
 - (b) the conditions of consent attached to any approval issued by the Office of Environment and Heritage; and
 - (c) the conditions of the Australian Government's National Interest Exemption for dispersal activities to be completed by 1 August 2016.
2. Monitor the dispersal attempt and if adverse impacts or significant concerns are raised, Council reconsider its response to the management of the Grey Headed Flying-fox camps.
3. Lodge a s91 application with the Office of Environment and Heritage for further clearing, in accordance with the clearing identified in Attachment 3 to Report PSR16/016.
4. Write to NSW Health requesting that they investigate, and publish the findings of such investigations, the health impacts to communities residing in proximity to Grey Headed Flying-fox camps.
5. Write to the Australian and NSW Governments requesting that they undertake research into the reasons why Grey Headed Flying-foxes select roost sites where they do, the reasons for the trend for Grey Headed Flying-foxes to select roost sites in urban areas, and prepare an integrated program and strategy aimed at providing a sustainable long term solution to the management of Grey Headed Flying-fox camps.
6. Allocate \$40,000 to undertake a review of the Water Gardens Grey Headed Flying-fox Camp Management Plan, to take into consideration other camps within Eurobodalla and issues associated with flying foxes in general. This revised management plan form the basis of negotiations with the Australian Government to enter into a conservation agreement.
7. Write to the NSW Premier, the Hon. Mike Baird MP and Member for Bega, the Hon. Andrew Constance MP thanking the Government for \$2.5million grant funding and advising of Council's resolution.

(contd)

AMENDMENT Councillor Leslight/Councillor Innes

THAT Council:

1. Proceed with the implementation of a dispersal attempt in accordance with:
 - (a) the Batemans Bay Flying-fox Camp Dispersal Plan (May 2016) attached to report PSR16/016;
 - (b) the conditions of consent attached to any approval issued by the Office of Environment and Heritage; and
 - (c) the conditions of the Australian Government's National Interest Exemption for dispersal activities to be completed by 1 August 2016.
2. Monitor the dispersal attempt and if adverse impacts or significant concerns are raised, Council reconsider its response to the management of the Grey Headed Flying-fox camps.
3. Lodge a s91 application with the Office of Environment and Heritage for further clearing, in accordance with the clearing identified in Attachment 3 to Report PSR16/016.
4. Write to NSW Health requesting that they investigate, and publish the findings of such investigations, the health impacts to communities residing in proximity to Grey Headed Flying-fox camps.
5. Write to the Australian and NSW Governments requesting that they undertake research into the reasons why Grey Headed Flying-foxes select roost sites where they do, the reasons for the trend for Grey Headed Flying-foxes to select roost sites in urban areas, and prepare an integrated program and strategy aimed at providing a sustainable long term solution to the management of Grey Headed Flying-fox camps.
6. Allocate \$40,000 to undertake a review of the Water Gardens Grey Headed Flying-fox Camp Management Plan, to take into consideration other camps within Eurobodalla and issues associated with flying foxes in general. This revised management plan form the basis of negotiations with the Australian Government to enter into a conservation agreement.
7. Write to the NSW Premier, the Hon. Mike Baird MP and Member for Bega, the Hon. Andrew Constance MP thanking the Government for \$2.5million grant funding and advising of Council's resolution.
8. Council allocate an additional \$300,000 to the cost of implementing the camp management plan.

The Amendment on being put was declared **LOST**.

(The Motion on being put was declared **CARRIED**
Councillor Harding voted against the Motion.)

(contd)

E87.6800; E15.9191

Councillor Innes previously declared a non-significant, non-pecuniary conflict of interest in PSR16/016 Grey Headed Flying Foxes – Dispersal Plan, and stated that she did not believe her interest would preclude her from voting.

Reason: Councillor Innes declared an interest as her mother lives in the area but Councillor Innes does not believe her mother is affected in any way differently to other members of the community.

ADJOURNMENT

16/152 MOTION Councillor Pollock/Councillor Burnside

THAT the Ordinary Council Meeting be adjourned for a break.

(The Motion on being put was declared **CARRIED**)

At 3.42pm the Mayor adjourned the Ordinary Meeting of Council.

At 4.03pm the Mayor reconvened the Ordinary Meeting of Council.

GMR16/011 PUBLIC EXHIBITION OF THE DRAFT COMMUNITY ENGAGEMENT FRAMEWORK

File Ref: E15.9270

MOTION Councillor Harding/Councillor Innes

THAT report GMR16.011 be deferred.

(The Motion on being put was declared **LOST**.)

16/153 MOTION Councillor Pollock/Councillor Burnside

THAT Council:

1. Endorse the draft Community Engagement Charter, draft Community Engagement Framework and draft Decision Tool for public exhibition for a period of 42 days from 16 June 2016.
2. Make the KJA Consultancy Outcomes Report available as a supporting document and write to the community representatives who took part in the situation analysis interviews at the start of the project to inform them of the exhibition, and gauge their interest in attending a workshop with Council to demonstrate and use the draft Decision Tool.
3. Invite other community groups and members to attend meetings or workshops to provide feedback on the decision tool.

(The Motion on being put was declared **CARRIED**)

FBD16/033 BUDGET REVIEW FOR THE PERIOD ENDED 31 MARCH 2016

File Ref: E05.9535

16/154 MOTION Councillor Burnside/Councillor Pollock

THAT:

1. The budget review report for the quarter ended 31 March 2016 be received and noted.
2. The favourable variations for the Income Statement after capital revenue of \$1.0 million and favourable variations of \$1.4 million as per the Consolidated Fund Flow Statement be adopted.
3. Council considers it is substantially compliant with best practice pricing and proposed to transfer a dividend from the Sewer Fund of up to \$0.53 million based upon 2014/15 results, subject to an audit of compliance with Best Practice Guidelines and approval from the NSW Office of Water.
4. Loans of up to \$10.8 million be raised in accordance with the Council's borrowing policy and the Council seal be affixed to the loan agreement documentation.

(The Motion on being put was declared **CARRIED**)

7. NOTICES OF MOTION

NOM16/006 FISHING TRAWLER

File Ref: E00.4623

16/155 MOTION Councillor Harding/Councillor Leslight

THAT Council:

1. Condemn the activities of super trawlers (factory freezer trawlers) such as the Geelong Star.
2. Write to the Member for Eden-Monaro, Dr Peter Hendy MP, and Member for Gilmore, Ann Sudmalis MP, to request that they oppose the continued presence of the Geelong Star on the far south coast and oppose its return to regional waters at any time in the future.
3. Write to the Member for Bega, the Hon Andrew Constance MP to thank him for his public statements in opposition to the Geelong Star, and request he initiate action by the NSW State Government to protect NSW small pelagic fisheries and marine life from its impacts.

(The Motion on being put was declared **CARRIED**)

NOM16/007 SUNSET COMMITTEE FOR BATEMANS BAY MACKAY PARK PRECINCT

File Ref: E16.0004

16/156 MOTION Councillor Innes/Councillor Leslight

THAT Council receive a report on the potential creation of a sunset committee to investigate opportunities for the development of the Batemans Bay Mackay Park Precinct, following the presentation of submissions and briefing to Councillors.

(The Motion on being put was declared **CARRIED**)

8. QUESTIONS ON NOTICE FROM COUNCILLORS

Nil

9. PETITIONS

Nil

10. GENERAL MANAGER'S REPORTS

11. PLANNING AND SUSTAINABILITY REPORTS

12. INFRASTRUCTURE REPORTS

IR16/022 2016-18 PLANT, MACHINERY & TRUCK HIRE PANEL

File Ref: E16.0033

16/157 MOTION Councillor Burnside/Councillor Innes

THAT Council:

1. Endorse the evaluation process undertaken to establish the proposed Panel for the hire of plant, machinery and truck hire;
2. Enter into formal Deeds of Agreement with each supplier identified on the Panel to formalise Standing Offers for the period from 1 July 2016 to 30 June 2018.

(The Motion on being put was declared **CARRIED**)

13. FINANCE AND BUSINESS DEVELOPMENT REPORTS

FBD16/024 LAND ACQUISITION FOR ROAD WIDENING - ORIENT STREET, BATEMANS BAY

File Ref: 85.1981.D

16/158 MOTION Councillor Burnside/Councillor Innes

THAT:

1. Application be made to the Minister for Local Government and the Governor to acquire part of Lot 244 DP 1207432 for public road purposes by compulsory process in accordance with Council's power under Section 177(1) of the Roads Act 1993.
2. If consent is granted, all necessary action be taken to finalise the acquisition of the land for public road purposes in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991.
3. Once acquired, the land be dedicated as public road in accordance with the provisions of the Roads Act 1993.

(The Motion on being put was declared **CARRIED**)

FBD16/025 LAND ACQUISITION FOR ROAD WIDENING - RIDGE ROAD, CENTRAL TILBA

File Ref: 15.9282.E

16/159 MOTION Councillor Burnside/Councillor Innes

THAT:

1. Application be made to the Minister for Local Government and the Governor to acquire Lots 7, 8 and 9 DP 1215462 for public road purposes by compulsory process in accordance with Council's power under Section 177(1) of the Roads Act 1993.
2. If consent is granted, all necessary action be taken to finalise the acquisition of the land for public road purposes in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act.
3. Once acquired, the land be dedicated as public road in accordance with the provisions of the Roads Act 1993.

(The Motion on being put was declared **CARRIED**)

FBD16/026 LAND ACQUISITION FOR ROAD WIDENING - PRINCES HIGHWAY AND TOOSE STREET, MORUYA

File Ref: E16.0211

16/160 MOTION Councillor Burnside/Councillor Innes

THAT:

1. All actions necessary be taken for the acquisition of land required for road widening within Lots 12, 13 and 14 Section 4 DP 977256 in accordance with Council's Code of Practice for Acquiring Land for Public Purposes.
2. All survey and legal costs associated with the land acquisition be borne by Council.

(The Motion on being put was declared **CARRIED**)

**FBD16/027 LAND ACQUISITION FOR ROAD WIDENING - PART LOT 1 DP 77345 LARRYS
MOUNTAIN ROAD, MORUYA**

File Ref: E16.0172

16/161 MOTION Councillor Burnside/Councillor Innes

THAT:

1. All actions necessary be taken for the acquisition of land required for road widening within Lot 1 DP 77345 in accordance with Council's Code of Practice for Acquiring Land for Public Purposes.
2. All survey and legal costs associated with the land acquisition be borne by Council.

(The Motion on being put was declared **CARRIED**)

**FBD16/028 LAND ACQUISITION FOR ROAD OPENING WITHIN LOT 154 CONGO ROAD,
CONGO**

File Ref: 10.4128.S

16/162 MOTION Councillor Burnside/Councillor Innes

THAT :

1. All actions necessary be taken for the acquisition of land required for road purposes within Lot 154 DP 752137 in accordance with Council's Code of Practice for Acquiring Land for Public Purposes.
2. All survey and legal costs associated with the land acquisition be borne by Council.

(The Motion on being put was declared **CARRIED**)

**FBD16/029 ROAD OPENING AND CLOSING - WITHIN LOT 2 DP 1039689 CORKHILL DRIVE,
CENTRAL TILBA**

File Ref: 94.6190.D

16/163 MOTION Councillor Burnside/Councillor Innes

THAT:

1. A proposal to close part of Corkhill Drive, Central Tilba adjacent to Lot 2 DP 1039689 be publicly notified in accordance with the provisions of the Roads Act 1993 for a period of 28 days.
2. Subject to no objection being received an application be made to the Crown Lands Division of the Department of Primary Industries to close part of Corkhill Drive adjacent to Lot 2 DP 1039689.
3. If objections are received a further report be presented to Council.
4. If closed and vested in Council, the land be transferred to the registered proprietor of Lot 2 DP 1039689 and consolidated with Lot 2 in exchange for part of Lot 2 DP 1039689 being dedicated as public road.
5. All costs associated with the proposed road opening and closing including the registered proprietors reasonable legal costs be borne by Council.
6. Consent be given to affix the Common Seal of Council to the Transfer of that part of Corkhill Drive closed and vested in Council.

(The Motion on being put was declared **CARRIED**)

FBD16/030 NAROOMA SURF LIFE SAVING CLUB

File Ref: E81.0993

16/164 MOTION Councillor Burnside/Councillor Innes

THAT:

1. Council as Trust Manager of the Eurobodalla (South) Reserve Trust:
 - (a) Give support to the lodgement of a Development Application and seek owner's consent from Crown Lands for the lodging of a Development Application for the Narooma Surf Life Saving Club Inc. boat storage shed within Crown Reserve R91375.
 - (b) Grant a twelve month temporary licence to Narooma Surf Life Saving Club Inc. to conduct surf club related activities within Crown Reserve R91375, Narooma with conditions including:
 - (i) A fee in line with the Crown Lands Statutory minimum, currently \$471.00 plus GST.
 - (ii) Consent to be given to the Club to proceed with construction subject to the Club holding sufficient funds to complete the proposed works approved by the licensee and holding appropriate construction insurance cover.
 - (iii) The licensee shall accommodate within the licence area storage required for professional life guard services engaged by Council over the summer holiday period.
 - (iv) Termination of the licence and granting of a 20-year lease once the works have been completed.
2. The General Manger be given delegated authority to negotiate a 20-year lease to be granted by Council as Trust Manager for the Eurobodalla (South) Reserve Trust subject to consent given by the Minister administering the Crown Lands Act 1989 to the Narooma Surf Life Saving Club Inc. over the clubhouse and proposed equipment shed.
3. A further report be presented to Council following completion of the negotiations.
4. A letter of support and consent to submit be given to any grant applications made by the Narooma Surf Life Saving Club Inc. for development funding.

(The Motion on being put was declared **CARRIED**)

FBD16/032 INVESTMENTS MADE AS AT 30 APRIL 2016

File Ref: E99.3517

16/165 MOTION Councillor Burnside/Councillor Innes

THAT the certification that the investments as at 30 April 2016 made in accordance with the Act, Council's Investment Policy and the provision of Clause 1 (Reg 212) of the Local Government (General) Regulation 2005, be received.

(The Motion on being put was declared **CARRIED**)

IR16/020 LOCAL TRAFFIC COMMITTEE MEETING NO 8 FOR 2015-16

File Ref: E16.0002

16/166 MOTION Councillor Brice/Councillor Innes

THAT:

1. The minutes of the Eurobodalla Local Traffic Committee Meeting No 8 of 2015-16 held on 14 April 2016 be received and noted.
2. Council Plan No 4320 Set E Sheet 01 detailing the proposed accessible parking space for people with disabilities in the car park adjacent to Candlagan Creek, Mossy Point be approved.
3. Council Plan No 5156 Set Y Sheet 01 detailing the proposed signage and linemarking associated with installation of a pedestrian refuge on River Street, Moruya be approved.
4. Council Plan No 4211 Set B Sheet 02 detailing the proposed signage and linemarking associated with installation of median islands at the intersection of on Thomas Street and Murray Street, Moruya be approved.
5. Council go out to community consultation with the community, landlords and traders prior to determining that the existing pay parking located in the off-street areas on Clyde Street and Perry Street, Batemans Bay be time restricted to three hours.
6. Council Plan No 3866 Set D Sheet 01 detailing the relocation of the marked pedestrian (zebra) crossing on Orient Street, Batemans Bay from its existing location to approximately 38 metres north be approved.

(The Motion on being put was declared **CARRIED**)

IR16/021 FUNDING OFFER - REPLACEMENT OF TYRONE BRIDGE

File Ref: E08.2547

16/167 MOTION Councillor Pollock/Councillor Burnside

THAT Council endorse the actions taken to accept the offer of \$1.25M in funding under the Australian Government's Bridges Renewal Program Round 2 for the replacement of Tyrone Bridge, Nerrigundah Mountain Road, Eurobodalla.

(The Motion on being put was declared **CARRIED**)

14. COMMUNITY, ARTS AND RECREATION REPORTS

CAR16/006 EUROBODALLA NAIDOC WEEK GRANTS

File Ref: E15.9174

16/168 MOTION Councillor Burnside/Councillor Innes

THAT Council approve the recommendations detailed in the confidential attachment, awarding NAIDOC Week grants to 10 organisations nominated for the 2015-16 financial year.

(The Motion on being put was declared **CARRIED**)

FBD16/031 NEW CODE OF CONDUCT POLICY AND AMENDMENT TO THE MODEL CODE OF CONDUCT

File Ref: E06.0380

16/169 MOTION Councillor Burnside/Councillor Pollock

THAT Council adopts the:

1. Amended Code of Conduct Policy with the following changes:
 - (a) Amended Section 3 – Breaches
 - Failure by a committee member or committee to comply with Council’s Code of Conduct will be addressed in the terms of reference for that committee.
 - Failure by a contractor or volunteer to comply with Council’s Code of Conduct will be addressed in their contract and/or terms of engagement.
 - (b) Procedure for administration of the Code of Conduct to comply with section 440 and 440AA of the Local Government Act NSW 1993.
2. Model Code of Conduct for Local Councils in NSW

(The Motion on being put was declared **CARRIED**.
Councillors Harding and Leslight voted against the Motion.)

15. DELEGATE REPORT

Nil

16. QUESTIONS/URGENT BUSINESS

Nil

17. DEALING WITH MATTERS IN CLOSED SESSION

Nil

18. CONFIDENTIAL MATTERS

Nil

THE MEETING CLOSED AT 5.02PM

CHAIRPERSON

Chairperson of the Ordinary Council Meeting held on Tuesday 28 June 2016 at which meeting the signature hereon was subscribed.